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C O N F I D E N T I A L SECTION 01 OF 02 ZAGREB 000428

SIPDIS

E.O. 12958: DECL: 02/26/2013

TAGS: [PREL](#) [MARR](#) [MOPS](#) [HR](#) [IZ](#) [MARR](#) [MOPS](#) [HR](#) [IZ](#) [FR](#) [FRPREL](#)

SUBJECT: CROATIA APPROVES USE OF AIRSPACE, AIRFIELDS FOR  
CIVILIAN TRANSIT OF TROOPS TO MIDEAST  
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REF: ZAGREB 409

CLASSIFIED BY: AMBASSADOR LAWRENCE ROSSIN FOR REASONS 1.5 (B.D)

1. (C) ON FEBRUARY 26, THE CROATIAN CABINET PASSED A FORMAL DECISION (TEXT AT PARA 5 BELOW) TO AGREE TO A USG REQUEST FOR THE USE OF CROATIAN AIRSPACE AND AIRFIELDS BY COMMERCIAL AIRCRAFT FOR REFUELING AND STOPOVER IN SUPPORT OF MILITARY OPERATIONS IN THE MIDDLE EAST AGAINST IRAQ. THE DECISION CREATES AN INTER-AGENCY WORKING GROUP, TO BE CHAIRED BY AN ASSISTANT MINISTER OF DEFENSE, WHICH WILL IMPLEMENT AND MONITOR ACTIVITIES UNDER THE DECISION. ALTHOUGH THE DECISION GOES INTO EFFECT ON FEBRUARY 26, IT MAY TAKE AS LONG AS TWO WEEKS FOR THE WORKING GROUP TO BE FORMALLY ESTABLISHED; CROATIA WILL NOT BE ABLE TO RESPOND TO SPECIFIC REQUESTS FOR FLIGHTS UNTIL THAT TAKES PLACE.

2. (C) THIS DECISION WAS PRESENTED TO THE PARLIAMENT PRECISELY AS PM RACAN TOLD THE AMBASSADOR ON FEBRUARY 24 IT WOULD BE (REFTEL). AT THE SABOR'S VERSION OF "QUESTION TIME" ON FEBRUARY 26, RACAN TOLD MP'S THAT THE DECISION WAS TAKEN "WITH THE UNDERSTANDING" OF EUROPEAN GOVERNMENTS WHICH ARE DECIDING ON CROATIA'S EU MEMBERSHIP APPLICATION. RACAN ALSO SAID THAT CROATIA'S OFFER OF LOGISTICS SUPPORT WAS A MINIMALIST POSITION. "SOME COUNTRIES WHICH ARE AGAINST THE APPROACH OF THE UNITED STATES ARE PROVIDING MORE LOGISTICS SUPPORT THAN WE ARE OFFERING," RACAN EXPLAINED. RACAN INSISTED THAT THE DECISION TAKEN BY THE GOVERNMENT IS WITHIN THE COMPETENCE OF THE CABINET, BUT ANY REQUEST FOR ADDITIONAL SUPPORT WOULD BE PRESENTED TO THE PARLIAMENT, AS REQUIRED BY  
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CROATIAN LAW.

3. (C) IN A FEBRUARY 25 MEETING WITH THE AMBASSADOR, PRESIDENT MESIC WAS MORE SUPPORTIVE OF U.S. POLICIES/REQUESTS ON IRAQ THAN WE EXPECTED, CONSIDERING SOME OF HIS RECENT STATEMENTS TO THE LOCAL PRESS. MESIC SAID THAT HE SUPPORTS THE GOC DECISION TO AGREE TO THE USG REQUEST FOR LANDING RIGHTS IN CROATIA. HE SAID THAT HE RAISED THE ISSUE DURING HIS JANUARY 24 MEETING IN PARIS WITH PRESIDENT CHIRAC, WHO CHARACTERIZED CROATIA'S DECISION TO PROVIDE FLOW-THROUGH ACCESS AS APPROPRIATE.

4. (C) IN A FEBRUARY 25 MEETING WITH THE AMBASSADOR, DEFMIN ANTUNOVIC SAID THAT THE GOVERNMENT DECISION WOULD APPROVE OUR REQUEST WITH VERY NARROW PARAMETERS; ANY REQUEST BEYOND AIRSPACE, LANDING AND REFUELING WOULD HAVE TO BE TAKEN TO THE PARLIAMENT. CROATIA'S DEFENSE LAW REQUIRES SABOR APPROVAL BEFORE THE ENTRY OF ANY FOREIGN TROOPS INTO CROATIA. THE GOC INTERPRETATION IS THAT THE SABOR WOULD HAVE TO APPROVE IN ADVANCE -- WITH A TWO-THIRDS MAJORITY -- IF A U.S. SOLDIER IS TO SET FOOT ON CROATIAN SOIL. UNDER THE CURRENT DECISION, TROOPS WILL HAVE TO REMAIN ON BOARD THE AIRCRAFT DURING REFUELING. IN THE CASE OF AN AIRCRAFT BREAKDOWN, THE GOC COULD OFFER OVERNIGHT STAYS WITHOUT OVERSTEPPING ITS LEGAL BOUNDARIES. SUCH A CASE WOULD BE DECLARED AN EMERGENCY STOP UNDER ICAO RULES AND THE GOC WOULD BE LEGALLY COVERED.

5. (U) BEGIN TEXT OF FEBRUARY 26 CROATIAN CABINET DECISION (NOTE INTERNAL NUMBERING):

THE GOVERNMENT OF THE REPUBLIC OF CROATIA  
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BASED ON THE ARTICLE 30 SECTION 2 OF THE LAW ON THE REPUBLIC OF CROATIA (OFFICIAL GAZETTE, NO 101/98, 15/200 AND 117/2001), GOVERNMENT OF CROATIA AT ITS SESSION ON 26 FEBRUARY 2003, REACHED THE FOLLOWING

DECISION ON THE USE OF AIRSPACE AND AIRPORTS OF THE REPUBLIC OF CROATIA FOR THE NEEDS OF COALITION FORCES LED BY THE UNITED STATES OF AMERICA

1. BASED ON REPUBLIC OF CROATIA'S DETERMINATION TO COMBAT INTERNATIONAL TERRORISM AND PREVENT PROLIFERATION OF WEAPONS OF MASS DESTRUCTION, REPEATEDLY DECLARED BY CROATIA'S GOVERNMENT, PARLIAMENT AND THE PRESIDENT OF THE REPUBLIC, CROATIA'S GOVERNMENT WILL WITHIN ITS ABILITY, MEET THE

REQUEST TO EXTEND ITS SERVICES TO COALITION FORCES LED BY THE UNITED STATES IN CONDUCTING OPERATIONS AIMED AT DISARMING IRAQ, AS IT IS DETERMINED IN UN SECURITY RESOLUTION 1441.

II. IN EVENT THAT THERE IS A REQUEST AS STATED IN THE ITEM I OF THIS DECISION, CROATIAN GOVERNMENT APPROVES THE USE OF CROATIA'S AIRSPACE FOR OVER-FLIGHTS, LANDING AND REFUELING CIVIL TRANSPORTATION AIRCRAFT AT CROATIAN AIRPORTS.

III. TO IMPLEMENT AND MONITOR ACTIVITIES FROM THIS DECISION,

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ACTION EUR-00

INFO	LOG-00	NP-00	AID-00	ACQ-00	CIAE-00	DOT-00	SRPP-00
	DS-00	EB-00	E-00	FAAE-00	FBIE-00	VC-00	TEDE-00
	INR-00	LAB-01	L-00	VCE-00	AC-01	NEA-00	NSAE-00
	NSCE-00	OMB-01	PA-00	PM-00	PRS-00	ACE-00	P-00
	SCT-00	SP-00	SSO-00	SS-00	TRSE-00	T-00	USIE-00
	EPAE-00	PMB-00	DSCC-00	PRM-00	DRL-01	G-00	NFAT-00
	SAS-00	SWCI-00	/004W				

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FM AMEMBASSY ZAGREB  
TO SECSTATE WASHDC IMMEDIATE 9547  
SECDEF WASHDC IMMEDIATE  
INFO USMISSION USNATO IMMEDIATE  
COMUSEUCOM INTEL VAHINGEN GE IMMEDIATE  
COMUSEUCOM ALT SHAPE BE IMMEDIATE  
HQ USEUCOM VAHINGEN GE IMMEDIATE  
JOINT STAFF WASHDC IMMEDIATE  
COMSIXTHFLT IMMEDIATE  
EUROPEAN POLITICAL COLLECTIVE PRIORITY

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CROATIAN GOVERNMENT WILL ESTABLISH INTERAGENCY WORKING GROUP  
CONSISTING OF THE FOLLOWING:

- MINISTRY OF DEFENSE, CHAIR
- MINISTRY OF TRANSPORT, TRAFFIC AND COMMUNICATIONS, MEMBER
- MINISTRY OF FOREIGN AFFAIRS, MEMBER
- MINISTRY OF INTERIOR, MEMBER
- CROATIAN AIR TRAFFIC CONTROL, MEMBER

IV. CROATIAN GOVERNMENT WILL INFORM CROATIAN PARLIAMENT ON  
THE IMPLEMENTATION OF THIS DECISION.

V. THIS DECISION BECOMES EFFECTIVE AS OF THE PROCLAMATION  
DATE AND IT WILL BE PUBLISHED IN THE OFFICIAL GAZETTE.

ZAGREB, 26 FEBRUARY 2003  
PRIME MINISTER  
IVICA RACAN  
END TEXT  
ROSSIN

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